



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Kretschmer et al.

Group Art Unit: Not 1637

Application No.: 10/532,431

Examiner: Not Yet Known

Filed: April 22, 2005

Docket No. 52296AUSM1

For: "Novel Prostate Tumor-Specific Promoter."

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

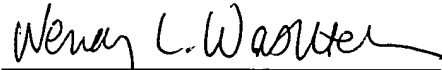
**INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 CFR §1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references cited on the attached form PTO-1449. Since this application was filed after June 30, 2003, a copy of the US Patents cited in this Information Disclosure Statement (IDS) has not been enclosed, per the waiver of the requirement under 37 CFR 1.98(a)(2)(i) published in the Official Gazette at 1276 OG 55. As to any reference supplied, Applicants do not admit that it is "prior art" under 35 U.S.C. §102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. §1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

This IDS is being filed before the mailing of a first action on the merits, therefore, no fee is required. However, the Commissioner is hereby authorized to charge our deposit account #02-2117 for any fees necessary to facilitate the filing of this application. This is, however, not authorization to pay the issue fee.

Please acknowledge receipt of this IDS and kindly make the cited references of record in the above-identified application.

Respectfully Submitted,  
BERLEX BIOSCIENCES  
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Date: June 1, 2006

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IFW 1637

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Approved for use through 07/31/2006. OMB 0651-0031  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number	10/532,431
Filing Date	April 22, 2005
First Named Inventor	Kretschmer et al.
Art Unit	1637
Examiner Name	Not Yet Known
Attorney Docket Number	52296AUSM1

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 With Cited Refs. Return Postcard
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Berlex Biosciences.		
Signature	<i>Wendy L. Washtien</i>		
Printed name	Wendy L. Washtien		
Date	<i>June 1, 2006</i>	Reg. No.	36,301

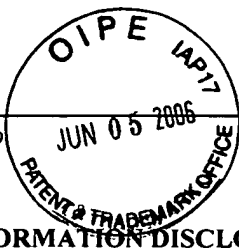
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Signature	<i>A. Rowe-Babb</i>		
Typed or printed name	Alishia L. Rowe-Babb	Date	<i>June 1, 06</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
**52296AUSM1**APPLICATION NO.  
**10/532,431****INFORMATION DISCLOSURE STATEMENT***(Use several sheets if necessary)*

APPLICANTS

**Kretschmer et al.**

FILING DATE

**April 22, 2005**

GROUP ART UNIT

**1637****U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	6,110,675	8/29/2000	Cohen et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	2	WO 00/40614	7/13/2000	PCT		
	3	WO98/15657	4/16/1998	PCT		
	4	WO 01/25272	4/12/2001	PCT		
	5	WO 00/04149	1/27/2000	PCT		
	6	WO 98/37418	8/27/1998	PCT		
	7	WO 98/37093	8/27/1998	PCT		
	8	WO 04/50674	6/17/2004	PCT		
	9	WO 05/09539	2/03/2005	PCT		

**EXAMINER****DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).